

U.S.A. vs Baltazar No. 08mj 2453

The Court finds excludable delay, under the section indicated by check (☒),
commenced on 8/21/08 and ended on 9/16/08 ; ()
and ended on _____ . ()

- 3161(h)
☐ (1) (A) Exam or hrg for mental or physical incapacity
☐ (1) (B) NARA examination (28:2902)
☐ (1) (D) State or Federal trials or other charges pending
☐ (1) (E) Interlocutory appeals
☐ (1) (F) Pretrial motions (from flg to hrg or other prompt dispo)
☐ (1) (G) Transfers from other district (per FRCrP 20, 21 & 40)
☐ (1) (J) Proceedings under advisement not to exceed thirty days
____ Misc proc: Parole or prob rev, deportation, extradition
☐ (1) (H) Transportation from another district or to/from examination
or hospitalization in ten days or less
☐ (1) (I) Consideration by Court of proposed plea agreement
☐ (2) Prosecution deferred by mutual agreement
☐ (3) (A) (B) Unavailability of defendant or essential witness
☐ (4) Period of mental or physical incompetence of defendant to
stand trial
☐ (5) Period of NARA commitment or treatment
☐ (6) Superseding indictment and/or new charges
☐ (7) Defendant awaiting trial of co-defendant when no severance
has been granted
☐ (8) (A) (B) Continuances granted per (h) (8) -use "T" alone if more than
one of the reasons below are given in support of continuance
☒ (8) (B) (I) 1) Failure to grant a continuance in the proceeding
would result in a miscarriage of justice and
the ends of justice outweigh the best interest
of the public and the defendant in a speedy trial.
(Continuance - miscarriage of justice)
2) Failure to grant a continuance of the trial would result in
a miscarriage of justice as the defendant has tendered a
guilty plea to a magistrate judge and is awaiting a
determination as to whether the plea will be accepted.
(Continuance - tendered a guilty plea)
☐ (8) (B) (ii) 2) Case unusual or complex
☐ (8) (B) (iii) 3) Indictment following arrest cannot be filed in thirty (30) days
☐ (8) (B) (iv) 4) Continuance granted in order to obtain or substitute counsel,
or give reasonable time to prepare
(Continuance re counsel)

☐ 3161(I) Time up to withdrawal of guilty plea

☐ 3161(b) Grand jury indictment time extended thirty (30) more days

Date 8/21/08

[Signature]
Judge's Initials

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